1: Evans-Pritchard E-5 (1931, 1936) 1940
FJ22 Nuer FJ22

in the diagram is the primary section of Reng, the Kong and Dhilleak divisions of which have clan nuclei of different origin to the other sections.

In all these tribes and tribal sections there is much admixture of lineages in communities. The same conditions are found in the Zeraf valley and also, and perhaps to a larger degree, in Western Nuerland. Nuer say that feuds and quarrels between lineages chiefly led to their dispersal, and they can cite many examples. Thus the descendants of Nyang-Thiang left the other sons of Thiang and joined the people with whom they form the Gaagwang tribe, and the NYARUNY lineage left their kinsmen of the Thiang primary section and joined the Reng primary section of the Gaajak tribe. After fights, a whole community, led by its dominant lineage, may in this way move to a different section or tribe and take up permanent residence with them. Migration led to further dispersal, since some lineages remained in the homeland to the west of the Nile and others crossed the Nile and Zeraf and settled to the east of these rivers. Nuer say that in the earliest stages of the migration the warriors used to raid Dinka and return home to their kinsmen after each raid. Then they settled to the east, but kept in close contact with the people of their lineage to the west. But as they shifted farther away the contact lessened and finally, in most cases, ceased altogether. When lineages migrated they must already have been nuclei of heterogeneous accretions and not exclusive groups of agnates: but admixture was no doubt hastened and made more complete by movement.

Two factors other than migration, quarrels, intermarriage, &c., have probably contributed to the dispersal of lineages. The Nuer are mainly a pastoral people with dominant pastoral interests and do not feel themselves bound by economic necessity or by ritual ties to any particular spot. Where his cattle are is the Nuer's home; his hearth is the droppings of his cattle and his altar a light pole (*rick*) which he plants wherever he may wander. The spirits which give him protection and the ancestral ghosts that watch over his welfare are no more bound to the soil than he is and they are present wherever are the herds. Beasts dedicated to ghosts and spirits are his wandering shrines. Also the Nuer have no organised cult of ancestral ghosts. The dead

8:Howell E, G-5 (1942-1944)1954
FJ22 Nuer FJ22

CHAPTER VI

RELIGIOUS CONCEPTS IN RELATION TO LAW

000 IN the preceding chapters I have described what may be called the secular aspects of Nuer customary law. The terms of the law described are largely rational, and only at certain points and in certain contexts have religious and magical associations been mentioned. The isolation of rational procedures from the religious background, however, gives an incomplete picture, and some mention must be made of Nuer religion and ritual sanctions in relation to legal concepts. To do so is to embark on a highly complex subject and one which, as an administrator, I had least time and opportunity to investigate. There is also a danger of over-simplification and generalization. The reader must bear this in mind.

Nuer Religious Beliefs

• 771 776 The Nuer are an intensely religious people. As a basis is the concept of *kwoth*, an all-pervading deity associated with the sky but present to a greater or lesser degree in all things, which supplies, directly or indirectly, an explanation for phenomena which cannot be accounted for in terms of everyday life.[1] This applies to material objects, human beings, events, and situations. Thus a particularly vicious snake may be a manifestation of *kwoth*, thunder and lightning are *kwoth*, a magician is possessed by or possesses *kwoth*, an unexplained accident or illness is due to *kwoth*, spirits are *kuthni* (a plural form of the word *kwoth*) and the unpredictable future is *ruar kwoth*, literally 'God-talk' or 'the will of God'. The word *kwoth* also has connexion with the whole range of spiritual forms and concepts: ancestral spirits, household spirits, spirit medicines, talking spirits, sky spirits, earth spirits. The special functions of the ritual experts of the kind already mentioned and their magical powers are derived from and are dependent upon *kwoth*. Nuer themselves find great difficulty in describing their beliefs because *kwoth* is accepted without

[1] In a recent article Professor Evans-Pritchard says: 'God is a spirit who is in the sky and also everywhere, he is the creator of the universe, the father and friend of man and the guardian of the social order; and in comparison with him man is an ignorant and puny creature. . . . There is nothing which can properly be called a cult of God, the spirit who is in the sky, and indeed the elements of a cultus is very much in keeping with the whole Nuer ecosophy.' 'A Note on Nuer Prayer', *Man*, Vol. LII, 140, 932.

[p.204]

8:Howell E, G-5 (1942-1944)1954
FJ22 Nuer FJ22

query and is an abstract idea which they cannot explain in terms of specific examples; but this does not cause confusion to them because, although all aspects of their religion are an indirect extension of the idea of *kwoth*, there is a special terminology which refers to every kind of manifestation and category.

For example, there are, as will be seen later, *kolangni*, special spiritual forms which come into the possession of and possess individuals or kinship groups, and of these there are many different types of manifestation. They are often the cause of physical illness or misfortune. A particular individual may be subject to epileptic fits or periods of mental instability, and speaking in general terms the Nuer will say *take kwoth*, 'he has or is possessed by *kwoth*'; but they will usually go further and qualify this statement by saying that he is possessed by some particular manifestation of *kwoth* which has a definite name. In some cases the individual will have called upon himself evil effects (though the same spirit may equally bring beneficial effects) in angering the spirit by some action, or more probably by failure to carry out some ritual obligation. There are special functionaries whose duty, in return for fees paid, usually in cattle, is first to diagnose the cause of the trouble and then to suggest a remedy, often assisting in the ritual which follows.

Kwoth is sometimes spoken of in the rôle of creator, but creation is more often explained in mythology by reference to ancestors. Such ancestors are not consciously thought of as manifestations of *kwoth*, although their origin would be explained as *kwoth*.[1] Ancestors are intermediaries between man and God; prayer is offered through them to *kwoth*. There is therefore a close relation between the concept of *kwoth* and religious practices associated with a patrilineal descent group. The word *thak* is used to express the idea of respect to ancestral spirits, and also, by extension, respect for kinship relations. Misfortunes and illness, sometimes referred to as *muor*, are often believed to be caused by ancestral spirits who are angered on account of a breach of observance—such as neglect of prayers, which should be addressed to them—or by actual relations between living descendants. An offensive action against a kinsman demands not only some compensation in the form of apology or even material indemnification but also prayer and expiation. There is therefore a religious sanction for kinship obligations and observances.[2]

[1] E.g. when asking Nuer to relate their genealogies, one often finds that they get stuck at a particular ancestor—and there is, of course, always an ancestor beyond whom they cannot go. Pressed for an answer they will simply say that this man came from *kwoth*.

[2] *Thak*. A full explanation of the word *thak* is given in an article by Professor Evans-Pritchard in *Man*, Vol. XLIII, 96, 1943. He says: 'We can therefore perhaps best think of *thak* as a term indicating a category of ritual prohibitions or taboos, and of *muor* as a term commonly used both for the infringement and the sanction of this class of taboos.' My own view is that *thak* implies not only negative actions in the form of prohibitions or avoidances but also positive actions in carrying out some observances or duty.

6:Howell E, G-5 (1942-1944)1954
FJ22 Nuer FJ22

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Few disputes derived from religious situations appear before the tribunals established by the Government today except occasional accusations of witchcraft, or violent action against persons believed to be practising witchcraft, and the claims of religious experts for fees from their clients. Before turning to these matters, however, I propose to consider two aspects of Nuer religious belief which are relevant to a study of their customary law. The first aspect is the part which is played by religion as a sanction for the fulfilment of obligations towards kinsmen and to Nuer as a whole, and as a deterrent against breaches of recognized behaviour. The second aspect concerns the part played by religious functionaries in connexion with legal processes. This aspect has been discussed at some length both in the introductory chapter and in the chapter on homicide, but mainly in connexion with the Leopard-Skin Chief. More must be said of other experts who have specific functions to perform.

Religious Sanctions and Legal Process

Religious sanctions for the operation of accepted rules of conduct have already been mentioned in connexion with homicide and the spilling of blood. We have seen too that in certain offences concerning women there is a sense not only of a secular wrong but also of sin which must be expiated by ritual observance.

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It is clear, however, that religious concepts do not provide a deterrent; a man is not deterred from killing another simply because he fears spiritual contamination or the pollution of those with whom he is associated. He might do so were there no definite means by which he can remove the danger, but the means exist. What he and his kinsmen fear is the voluntary, or more probably involuntary, breach of observance which will bring them disaster in the form of natural disease (*mam*) or of sterility among themselves and their cattle. Religion among the Nuer is therefore not so much a deterrent to homicide as a sanction for carrying out accepted modes of behaviour after the event. It is further a sanction for the immediate confession of homicide, and this is why the Nuer rarely if ever attempt to conceal their guilt. The dangers of concealing an act of homicide are expressed in the concept of *lair*.[1] When a man fails to confess, there is a graver disruption of equilibrium; both his own kin and those of his victim run into the danger of involuntarily breaking the taboos on social contact, and consequently an incident of this sort may demand a higher rate of compensation if peace is to be restored.

There appears to be no formal reaction on the part of the community as a whole to an act of homicide, nor any general expression of reprobation. The killer is not thought of as an evil-doer because of his

[1] See p. 92.

8:Howell E, G-5 (1942-1944)1954
FJ22 Nuer FJ22

action in spilling the blood of a fellow man. There is no concept of Man as a member of Mankind, only as a member of a kinship group, and reprobation is expressed by them alone. Moreover God is not angered at the death of a human being, for God is not concerned with humans in this general sense of protection and responsibility; but the particular manifestations of God, represented in the kinship group by ancestral spirits and by the spirit of the dead man (*cien*), are indignant and cry out for vengeance.

There are therefore two reactions present: first, the reaction of the kinsmen of the slain, which is a reaction of indignation at personal loss, reduction in their numbers, and the damage to the continuity of their group; and this finds further expression in religious concepts associated with the kinship group. The second reaction is that of the killer's group, who demand that, in their own interests as well as his own, he shall perform those rites of expiation which will neutralize the effects of spiritual contamination emanating from the spirits associated with the dead man's kin. They may also express disapproval of his action, for he has brought upon them not only spirit- 'angers but the threat of violence, and more probably the loss of the cattle which they will have to pay to restore the peace and regain their security.

Homicide has not yet become the concern of society as a whole and, except that other persons may find themselves involved in a feud which may spread along traditional lines of political cleavage, those outside the specific groups affected are not interested. The existence of a segmentary system and the absence of organized political authority covering all sections of Nuer society mean that there is no corporate body which will take action against the killer in the interests of society as a whole. The kinship group of the deceased combines against the killer and, by extension, according to the principles of collective responsibility, against the kinsmen of the killer. The latter are then compelled to adopt an attitude of defensive opposition, but within their own group they have also to demand that the killer shall perform those acts which will restore to him his ritual status.

From these observations it will be seen that—

(i) Homicide is considered a wrong, though not against society as a whole. The element of wrongness is relative to the relationship in the social structure of the parties involved. The killing of a stranger, especially of a foreigner, who does not come within the most expanded form of the social structure, is not really wrong (*dar*) at all. It is neither a crime nor a private delict, for there is no political sanction involved and no social relationship which might demand restitution. There is no motive for compensation nor any mechanism for enforcing it. It is, however, a situation which demands expiation in the form of ritual and sacrifice, which the killer performs with the assistance of the Leopard-Skin Chief. The ghost of the dead stranger,

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

reference to God as 'father', and it is perhaps sufficient to say that they enable the speaker to indicate whether he speaks to Spirit as 'Spirit of our fathers' in the sense of Spirit in relation to his lineage alone or in the sense of Spirit in relation to everyone. He can thus stress the unity of all present in relation to God or their separateness as social groups in a distinctive relationship to him as such.

The ambiguities which seem at first to be so puzzling a feature of Nuer religion are, at least to some extent, resolved by considering in this way their religious ideas in relation to their social order, for in all societies religious thought bears the impress of the social order. Given the segmentary political and lineage structure of the Nuer it is understandable that the same complementary tendencies towards fission and fusion and the same relativity that we find in the structure are found also in the action of Spirit in the social life. Just as, for example, two lineages are distinct and opposed groups in relation to one another at one level of segmentation and are a single unit at a higher level of segmentation, so Spirit as conceived in relation to these segments must be divided at the lower level and undivided at the higher level. It is intelligible, therefore, that in its relation to the segmentary social order the conception of Spirit is broken up into diverse refractions, while in relation to nature and man in general the many become again the one.

In the light of what has been said above it is not surprising that any number of new spirits may come into existence without disconcerting the Nuer, either being borrowed from neighbouring peoples or derived from some unusual experience. We have good reason to believe that the spirits of the air, the fetishes, and, at any rate for the most part, the totemic spirits have been introduced, some of them very recently, into Nuerland, and probably the same is true of the nature spirits.[1] I think it can be assumed—I do not see how it can have been otherwise—that there have always been different representations of *kwoth* among the Nuer, and if this is so the old, or traditional, religion must have consisted,

[1] Many of these spirits are probably now not only for the Nuer but also for the Dinka. Even those which can be shown to have some antiquity in Dinka culture, e.g. *deng*, may be supposed, since they are not found among most other, or all other, Nilotic peoples, to have come into existence after the dispersal of these peoples took place. Complicated philological issues are raised by these questions.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

as far as the notion of Spirit is concerned, of the conceptions of God, of God figured to specific social groups by grammatical indications or by reference to their names, of *colwic* spirits, and of some totemic spirits.

The taking over of new spiritual conceptions from neighbouring peoples may have been partly fortuitous, but I would suggest that it may also in part be accounted for by reference to recent Nuer history. During the last hundred years the Nuer have absorbed a great number of Dinka and have also been brought into closer contact, directly or indirectly, with other peoples of the Southern Sudan and also with Arabs and ourselves. This provided opportunities for borrowing foreign ideas. But it may be suggested that not only was the opportunity there, but also the need. Nuer statements lead us to suppose that certain social developments were taking place at the same time. They say that their clans and lineages were being broken up by expansion, and were incorporating into their stocks Dinka lines of descent, besides assimilating politically Dinka communities—hence the Dinka totems in Nuerland today; that prophets emerged who directed large-scale raids on the Dinka and defence against the 'Turks' (the Arabs and the British)—hence the Dinka and other foreign spirits of the air; and that the peace and administration imposed on them by the government of the Anglo-Egyptian Sudan have given protection to those who wish to pursue private gain and vengeance—hence the introduction of fetishes and their spread. Ethnological evidences support what they say, and we can add that it is in accord with the logic of the Nuer conception of Spirit that it should be represented by figures corresponding to these new social phenomena. Dr. Lienhardt tells me that since I was last in Nuerland the number of spirits has increased and that they have spread widely and freely. This is what we would expect to follow further social disintegration (p. 309).

God may thus be figured in numberless ways in reference to social groups and to persons, and in relation to effects which are significant for them; and in none of them has the figure any sharply defined individuality. This is fairly easy to understand when we are dealing with refractions which are referred to simply as *kwoth* of a group and without distinguishing name or title; but it may fairly be asked whether those spirits which are named can adequately be thought of as refractions and are not rather to be

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

regarded as quite independent conceptions. We must distinguish here between class names and individual or personal names. The reason why Nuer divide the spirits into kinds, spirits of the above, spirits of the below, *colwic* spirits, *bieli*, and so forth, is that they regard them as different sorts of manifestation of Spirit and of varying degrees of importance. This is a matter I discuss later. It is rather the individual names with which we are immediately concerned.

The reason why some of the refractions have distinguishing names is, I think, mainly a matter of ownership. We have seen that, in the sense already defined (p. 44), Spirit can be owned by persons. Now, no one in this sense owns God, but all the various spirits may be owned by persons; and it may be said that the most distinctive naming of them is where individual ownership is most marked, in the case of the spirits of the air and the fetish spirits, which have proper names and ox-names. A prophet who is inspired by Spirit has in the logic of the situation to give it a name which distinguishes it as his particular spirit from the spirits of other prophets of his neighbourhood who are his rivals for renown and influence; for the attachment here is to individuals who build up through it a personal following, and not, at least primarily, to social groups. When a spirit falls from above and enters into a man who becomes its prophet it attains individuality by revealing through the prophet what it is called—its name; and when a person becomes possessed for the first time the immediate endeavour of his neighbours is to get the spirit to reveal its name when he is in a dissociated state. The spirit gets its name, the *nueer* gets its *nueer*, by being owned by the person it possesses and to whom, by possessing him, it brings power and prestige. Fetishes are also owned by individuals who compete, though in a different way from prophets, for prestige and power against one another, so they must have distinguishing names. Thus it is through the name that ownership is established. The individuality is, in a sense, that of the person and not that of the spirit, the spirit getting its name through him.

The conclusion we have reached is that the conception of *kwoth* has a structural dimension. At one end Spirit is thought of in relation to man and the world in general as omnipresent God. Then it is thought of in relation to a variety of social groups and activities and to categories of persons: to political movements

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

connected with prophets, and in a special relation to warfare, as spirits of the air; to descent groups as *colwic* and totemic spirits; and to a variety of ritual specialists as totemic, totemistic, and similar spirits. At the other end it is conceived of more or less in relation to individuals in a private capacity as nature spirits and fetishes. God figured as common father and creator is patron of all men; figured in spirits of the air he is patron of political leaders; figured in *colwic* and totemic spirits, and also in unnamed refractions; he is patron of lineages and families; and figured in nature spirits and fetishes he is patron of individuals. I give only a general indication of the main lines of social demarcation between the various types of refractions, and I do not discuss exceptions and overlappings.

This impress of the social structure on Nuer religious thought is to be marked also in the natural and moral attributes of the different types of spiritual refractions. Mighty celestial phenomena, and great and terrible happenings, such as plagues and famines, and the moral order which concern all men are attributed to God, while processes and events which do not have so general a range of impact tend to be attributed to whichever particular refraction or type of refraction the situation and context evoke. Likewise the refractions tend to decrease in the degree of universality, stability, and morality attributed to them the smaller the social space to which they refer. I give a brief indication of this tendency, illustrated by a few examples.

God is everywhere; he is permanent and changeless in his relation to the constant elements in the natural and moral orders; he is one, and he is all-powerful, just, and compassionate. The spirits of the air are in particular persons and places, and even when their prophets are politically important persons they have a limited spread of influence; they have fallen from the clouds in recent times and their renown depends on the personal prestige of their prophets and on political circumstances, both of which are unstable factors and may be ephemeral; they are multiple, though compared with lesser spirits they are few in number; and they are unpredictable, and even capricious and ill-intentioned. The *colwic* and totemic spirits are restricted to certain lineages and families; they became tutelary spirits of these groups at certain points of time and many are sooner or later forgotten; they are numerous; and compared to the spirits of the air they are unimportant. The

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

nature sprites and fetishes are for the most part acknowledged only by the persons who own them and by their immediate kin. The fetishes certainly, and the nature sprites probably, are very recent introductions, and they enter into relationships with persons and families and are forgotten by their descendants. The sprites flit here and there, come into homes, and then return to the bush. The fetishes are bought and sold and pass from hand to hand. Their reputations wax and wane with those of their owners. They lose ground and are replaced by others. Both alike are potentially inexhaustible in number. Though some fetishes are feared, neither they nor the sprites are highly regarded and the fetishes are in general disapproved of. On the other hand, the lower down the scale of Spirit we descend and the more it can be said to be owned the more prominent do cult features appear. God is approached in simple prayer and sacrifice. The spirits of the air receive more elaborate ceremonial attentions, into which enter hymns, possession, and divination. Cult features are also prominent at the level of the *colwic* and totemic spirits. The most regular ritual attention appears to be given to the fetishes, which receive frequent offerings from their owners and in the most material form.

In relating the configuration of Nuer religious thought to the structural order of their society I am, of course, relating abstractions to one another by a method of sociological analysis. It is not suggested that the Nuer see their religion in this sort of way. Nevertheless, the structural configuration we abstract by this process is of the same design as the symbolic configuration in which they think of their various *kuth*. The various spirits in their symbolic configurations occupy the same positions in relation to each other as they do in the structural configuration we perceive through sociological analysis.

In a typically Nuer way they represent the interrelationship of the spirits in a genealogical metaphor. God is the father of the greater spirits of the air, and the lesser of them are said to be children of his sons, of his lineage. The totemic spirits are often said to be children of his daughters, that is, they are not of his lineage, which is the Nuer way of placing them yet lower in the spiritual scale. The fetishes (and possibly also the nature sprites) come lowest of all in the representation of children of daughters of the air-spirit *dewg*. Another way of indicating this spiritual

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

hierarchy is in terms of descent values in their political connotation. The spirits of the air are *diel*, true or aristocratic spirits, the totemic spirits are *jaang*, Dinka-like spirits, and the fetishes are *jur*, despised foreigners. It has earlier been noted that a similar metaphorical evaluation in terms of genealogical and social status is made by Nuer in their classification of birds (p. 90).

The interrelationship of the spirits is represented also in the symbolism of height or space, or more accurately in the relation of sky to earth. The spirits, as we have noted, are those of the above and those of the below. God is symbolized by the sky and the spirits of the air by the atmosphere, the clouds, and the breezes, the lesser ones being nearer to the earth than the greater ones. The totemic spirits as spirits are above and as creatures are below. The nature sprites may also be thought of as having a dual existence. The fetishes are the most earthly of the spirits, some of them speaking from beneath the ground. Implicit in this symbolic configuration is also an evaluation in terms of light and darkness, ranging from celestial brightness to subterranean darkness.

We see, and in their own way of looking at the matter Nuer see, degrees of immanence in this symbolic configuration. The cosmological representation of Spirit, and in particular the dichotomy between heaven and earth, the spirits of the above and those of the below, is further indicated by the mode and manner of appearances, the forms in which Spirit is manifested to humans. At one end there is pure Spirit, transcendental being which is everywhere and in nothing particular, Spirit as it is in itself, God. God is seen only in the works of his creation and he speaks only in the language of inner spiritual experience. The spirits of the air, on the other hand, and sometimes also the *colwic* spirits, appear to men in their prophets, through whom they are known and speak. Then Spirit is manifested in totemic species, which are mostly creatures, and at the farther end in things, the natural things associated with sprites and the magical substances which are the outward appearances of fetishes, which are Spirit in its lowest and most material form, Spirit which 'eats' offerings and which is bought and sold. Nuer themselves draw these comparisons, and it is evident from their observations that they themselves perceive that they are dealing with Spirit at different levels of thought and experience, Spirit in itself, Spirit in persons, Spirit in beasts, and Spirit in things. Moreover, I think we may conclude further that

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

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they perceive these different levels of immanence also as levels in time. This is implied in the genealogical representation of Spirit, for father must come before children and children before grandchildren; and possibly also in its spatial representation in the falling of spirits from above in a succession of descents at points in time. But it is also explicit in Nuer statements of the order in which their various spirits appeared among them. God was always there, then at various points of time *colwic* spirits, spirits of the air, totemic spirits, nature sprites, and fetish spirits appeared on the scene, the fetish spirits being the most recent arrivals.

These refractions correspond, as we have noted, with different levels of social activity, but an interpretation in terms of social structure merely shows us how the idea of Spirit takes various forms corresponding to departments of social life. It does not enable us to understand any better the intrinsic nature of the idea itself. The varying degrees of immanence in which the conception is expressed show us that the different social levels at which Spirit is manifested are also different degrees of religious perception. Spirit is sometimes perceived, intellectually and intuitively, as one, transcendental, pure Spirit and at other times, in relation to human affairs and interests, as one or other of a great number of figures through which it is made known, in varying degrees of materialization, concretely to human intelligence. Nor is it, even with strict reference to a purely structural interpretation of the conception of Spirit in Nuer society, simply a matter of social levels, for, as we have seen, God is also experienced unrefracted at all levels, down to the individual; so that a structural interpretation explains only certain characteristics of the refractions and not the idea of Spirit in itself. I have only tried to show that, and how, that idea is broken up by the refracting surfaces of nature, of society, of culture, and of historical experience.

This way of looking at the Nuer conception of Spirit gives us a model by reference to which we can reduce the bewildering variety of their spirits to some sort of order in our own minds, and research could be carried deeper on the lines I have indicated. But the value of the model for our present inquiry is limited, for it does not help us to understand the specifically religious facts any better. The analysis made in this chapter is from the outside, and were I writing about Nuer social structure this is the feature of their religion it would be most necessary to stress. But in a

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

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study of religion, if we wish to seize the essential nature of what we are inquiring into we have to try to examine the matter from the inside also, to see it as Nuer see it, to examine how they differentiate at each level between one spirit and another. Naturally, they do not differentiate between them in sociological terms, but rather by grammatical distinctions, by references to descent, and by names of one sort or another. However, were the distinctions purely verbal, inevitable confusion, we may assume, would result. But the words are linked to visible objects which enable the mind to hold them, and so keep them apart. There is not the same need of visible symbols in thinking of God. Signs are indeed required, for it would be difficult otherwise to think about him at all, but what is one and has none like it does not require concrete diacritical differentiation. Where, on the contrary, there are a number of like representations they can only be kept apart by concrete differentiation, some thing which brings the name and the idea it stands for to the mind. In the case of the spirits of the air this requirement is provided by the prophets they possess, in the case of *colwic* spirits by the persons who have become such, in the case of the totemic spirits by the creatures they are beholden in, in the case of the nature sprites by luminous objects, and in the case of fetishes by the substances they are in, or attached to. This differentiation of spiritual forms through their identification with material phenomena presents us with a very difficult and delicate problem in religious thought. If what distinguishes one spiritual form from another is an object, we have to consider whether the object is the spiritual form or in what sense it may be said to symbolize it.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

CHAPTER X

THE SACRIFICIAL ROLE OF CATTLE

I

23/ Nuer are very largely dependent on the milk of their herds, and in their harsh environment they probably could not live without them, any more than the cattle could live without the care and protection of their owners. Their carcasses also furnish Nuer with [237] meat, tools, ornaments, sleeping-hides, and various other objects of domestic use; and their sun-dried dung provides fuel for the great smouldering smudges that give protection from mosquitoes to man and beast alike. Women are more interested in the cows, and this is natural for they have charge of milking and dairy work. Men's interest in the cow is, apart from their value for breeding, rather for their use in obtaining wives, and they are interested in the oxen for the same reason, and also because they provide them with a means of display and, which is the matter I am about to discuss, a means of sacrifice. But for all Nuer—men, women, and children—cattle are their great treasure, a constant source of pride and joy, the occasion also of much foresight, anxiety, and quarrelling; and they are their intimate companions from birth to death. It is not difficult to understand, therefore, that Nuer give their cattle devoted attention, and it is not surprising that they talk more of cattle than of anything else and have a vast vocabulary relating to them and their needs

23/ Though I restrict myself here to a consideration of the religious •77/ significance of their cattle for Nuer we must not for a moment forget that this is bound up with their secular uses. Otherwise it will not be appreciated what it is that Nuer surrender in sacrifice, the most precious thing they possess. Nevertheless, if cattle were only used for food and obtaining wives writers about the Nuer, and also about other Nilotic peoples, might have been content just to draw attention to the great interest these peoples have in them. But cattle figure so prominently in their lives in ways not directly concerned with their maintenance or their use for practical pur-

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

231
771

poses that European observers have perceived that in the relationship between men and cattle there is something more than can be stated in simple terms of husbandry and exploitation. I mention only those whose observations refer specifically to the Nuer. Ernst Marno says that we may speak of their veneration (Verehrung) of cattle, that the largest and finest ox of a herd is regarded as a guardian genius (schützende Genius), and that they refer to this beast by the same name, '*nyiedit*', as they assign to the conception of a Supreme Being and to thunder.[1] Likewise, Mr. H. C. Jackson tells us that the bull which a youth receives from his father at initiation 'is a kind of guardian spirit of its owner who calls upon it in times of stress and difficulty', and in another place he speaks of this bull as the 'tutelary spirit' of its owner.[2] Captain H. H. Wilson says of the Nuer that, like the other Nilotic peoples of the White Nile, 'what religion they possess is centred in the cow';[3] and Professor D. Westermann writes that 'the attachment of a man to his cows and of a boy to the bull with which his father presents him may almost be called religious'.[4] There is, however, no evidence at all that cattle are venerated or in themselves are in any way regarded as guardian spirits, and in so far as it may be true to say that Nuer religion 'is centred in the cow' or that their attachment to cattle 'may almost be called religious', in so far, that is, that we may legitimately speak, as Marianne Schmidl did in her interesting paper on the subject,[5] of '*die sakrale Stellung des Rindes*', it is for a different reason.

231
553

Another writer about the Nilotic peoples and a very experienced anthropologist, my teacher Professor C. G. Seligman, said about Nilotic cattle that 'it is difficult to describe their importance to their masters or the love and care the latter have for their beasts, but it is certainly no exaggeration to say that it amounts to what psychologists would term "identification".'[6] What seems chiefly to have persuaded Professor Seligman to use this word is the Nilotic

[1] Ernst Marno, op. cit., pp. 343 and 349–50. What he says about '*nyiedit*' is unintelligible.

[2] H. C. Jackson, op. cit., pp. 94 and 96.

[3] *The Anglo-Egyptian Sudan*, edited by Lieut.-Col. Count Gleichen, vol. i, 1905, p. 140.

[4] Ray Huffman, *Nuer Customs and Folk-Lore*, 1931, p. vii.

[5] Marianne Schmidl, 'Die Grundlagen der Nilotenkultur', *Mitteilungen der Anthropologischen Gesellschaft in Wien*, LXV. Band, Wien, 1935. See also Johannes Weissenborn, *Tierkult in Afrika*, 1904, p. 16.

[6] C. G. and B. Z. Seligman, op. cit., p. 169.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

We must not be led astray by this conclusion to suppose that on

the everyday life of the Nuer they think of and treat their animals in a 'religious' manner. They do not even treat those dedicated to spirits in any special way. Ordinarily Nuer think of their beasts from the practical point of view of herdsmen who are largely dependent on them for food and are dependent on them entirely for marriage. But if it would be a mistake to leave out of consideration the practical uses of cattle it would be no less a mistake were we to ignore the religious significance they have for Nuer. This is easier to do for two reasons. Firstly, because Nuer are themselves reticent in speaking of their cattle in this connexion. They tend to be reserved in discussing religious matters, and it may even be said that a certain secrecy adheres to them; and those whom a European tends to know best, the younger men, have less awareness of the sacramental role of cattle than the older people. Secondly, because we have no direct experience of our own which associates animals with anything similar in our culture. We are, therefore, inclined to reason that cattle have ritual significance because they have great practical value. If this were really so the cow, and not the ox, would be the object of identification, but, apart from that consideration, an attempt to interpret the religious importance of cattle on this one-way track of reasoning changes the whole character of the relationship between men and cattle. It makes the animals themselves to be in some way the object of religious attention, and nothing could be farther from the truth.

The religious significance of cattle is of a very different kind. Cattle are necessary to Nuer not only for food and marriage but also for salvation, for the sanctification of their social undertakings and for overcoming evil in its twofold character of sickness and sin. As Professor Westermann's text has it, 'she (the cow) was ordered (by God) for the deliverance of souls'.[1] This soteriological function pertains to cattle as much as their economic, bridewealth, and other functions. It is not just that in Nuer sacrifices something that for other reasons is valuable obtains through its consecration and sacramental death a religious significance, which would consequently be secondary and momentarily derived from the immediate sacrificial act. The sacrificial role is always dormant in cattle, which in sacrifice are being used for an ordained purpose for which they are set apart. This is why the rubbing of ashes on an ox's

[1] Or, as I have translated the passage (p. 224): 'It [the cow] has been decreed for the life [of man].'

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

back while uttering some short prayer or invocation is a rite which can at any time be performed. The animal, even when not dedicated to a spirit, is already destined for sacrifice. The sacrificial situation is present, as it were, in the act, though no actual sacrifice is made. 291/782

When, therefore, we seek to estimate what their cattle are to Nuer and how they see them, we have to recognize that they are the means by which men can enter into communication with God, that they are, as Father Crazzolara puts it, 'the link between the perceptible and the transcendental'.[1] In fulfilling this role, his cattle shield a man and his family from disaster, and he conceives of them also collectively as a herd which from the beginning of time has helped his fathers in distress, performing in each generation the same sacrificial service. In the time of the ancestor of his clan the 'cow' gave her life for his salvation and so it is today. Whence springs the identification of man with ox, of lineage with herd, and of men with cattle. 291/782 771

[1] J. P. Crazzolara, 'Die Bedeutung des Rindes bei den Nuer', *Africa*, 1934, p. 320.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

CHAPTER XIII

SOME REFLECTIONS ON NUER RELIGION

The theories of writers about primitive religion have not been sustained by research. During the last century what was presented as theory was generally the supposition that some particular form of religion was the most primitive and that from it developed other forms, the development being sometimes presented as a succession of inevitable and well-defined stages. The form of religion presented by a writer as the most primitive was that which he considered to be the most simple, crude, and irrational; to exhibit most conspicuously 'crass materialism', 'primeval stupidity', 'naïve eudaemonism', 'crude anthropomorphism', or 'daemonic dread'. Many such origins have been propounded: magic, fetishism, manism, animism, pre-animism, mana, totemism, monotheism, &c. All this was for the most part pure conjecture. The determination of the *primordium*, in the absence of historical evidences, was, as Schleiter, among others, has shown, quite arbitrary.[1]

Nuer religion, like any other, has, of course, a history, but we can only trace it in so far as it survives in the memories of the Nuer themselves, for reports by travellers, which start barely a century ago, are on this matter slight and unreliable. Ethnological research can supply us only with indirect evidences; archaeological research, were it to be undertaken, probably with none at all. However, Nuer statements, supported by ethnological evidences, enable us to say with a fair degree of probability what have been the main lines of development during the last hundred years. Now, if we take the Nuer as we find them today and as we have good reason to think them to have been in the recent past, an account of their religion at least shows the inadequacy of most of these so-called evolutionary theories and exposes the conceit of the assumptions on which they were based. The Nuer are undoubtedly a primitive people by the usual standards of reckoning, but their religious thought is remarkably sensitive, refined, and intelligent. It is also highly complex.

[1] Frederick Schleiter, *Religion and Culture*, 1919, p. 39.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

it is nature or their own society that they worship. We have, therefore, in the study of primitive philosophies to begin anew to build up a body of theory and to formulate problems in the light of it. There is only one way in which this can be done. A number of systematic studies of primitive philosophies has to be made. When that has been done a classification can be made on the basis of which comparative studies can be undertaken which possibly may lead to some general conclusions. This book is intended as a contribution which it is hoped may be useful in the building up of a classification of African philosophies.

Such a classification of African philosophies must naturally be by reference to their chief and characteristic features. Among all African peoples we find in one form or another theistic beliefs, manistic cult, witchcraft notions, interdictions with supernatural sanctions, magical practices, &c., but the philosophy of each has its own special character in virtue of the way in which among that people these ideas are related to one another. It will be found that one or other belief, or set of beliefs, dominates the others and gives form, pattern, and colour to the whole. Thus, among some peoples, notably a large proportion of the Bantu, the dominant motif is provided by the cult of ancestors; among others, some of the Sudanic peoples for example, it is found in the notion of witchcraft, with which are bound up magical and oracular techniques; among others, such as the Nuer, Spirit is in the centre of the picture and manistic and witchcraft ideas are peripheral; and among other peoples yet other notions predominate. The test of what is the dominant motif is usually, perhaps always, to what a people attribute dangers and sickness and other misfortunes and what steps they take to avoid or eliminate them.

Nuer philosophy is, as we have seen, essentially of a religious kind, and is dominated by the idea of *kwoth*, Spirit. As Spirit cannot be directly experienced by the senses, what we are considering is a conception. *Kwoth* would, indeed, be entirely indeterminate and could not be thought of by Nuer at all were it not that it is contrasted with the idea of *cak*, creation, in terms of which it can be defined by reference to effects and relations and by the use of symbols and metaphors. But these definitions are only schemata, as Otto puts it, and if we seek for elucidation beyond these terms, a statement of what Spirit is thought to be like in itself, we seek of course in vain. Nuer do not claim to know.

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

• 771 They say that they are merely *dwer*, simple people, and how can simple people know about such matters? What happens in the world is determined by Spirit and Spirit can be influenced by prayer and sacrifice. This much they know, but no more; and they say, very sensibly, that since the European is so clever perhaps he can tell them the answer to the question he asks.

Nevertheless, we can reach certain conclusions about the basic features of the conception. We have seen that Nuer religion is pneumatic and theistic. Whether it can rightly be described as monotheistic is largely a matter of definition. I would say, for the reasons I have given, that it can be so described in the sense already discussed, for at no level of thought and experience is Spirit thought of as something altogether different from God. It follows from the conception of God as Spirit that though he is figured in many diverse figures he can be thought of both as each and as all alike and one. But if we say that in spite of the many different spirits Spirit is one and that Nuer religion is in this sense monotheistic we have to add that it is also modalistic. Spirit, though one, is differently thought of with regard to different effects and relations.

We have, indeed, in this matter to be particularly careful not to be led into false conclusions. A theistic religion need not be either monotheistic or polytheistic. It may be both. It is a question of the level, or situation, of thought rather than of exclusive types of thought. On one level Nuer religion may be regarded as monotheistic, at another level as polytheistic; and it can also be regarded at other levels as totemistic or fetishistic. These conceptions of spiritual activity are not incompatible. They are rather different ways of thinking of the numinous at different levels of experience. We found these different ways of thinking reflected in the complex notions involved in sacrifice; and also in the variety of Nuer attitudes towards Spirit, ranging from love to fear, from trust to apprehension, from dependence to hostility.

Since the basic feature of Nuer religion is the idea of Spirit it is not surprising that certain features of other African religions are unimportant among them or even entirely lacking. The conception of ancestral ghosts is altogether subordinate. Animistic ideas are almost entirely absent. Witchcraft ideas play a very minor role, and magic a negligible one. Both are incompatible with a theocentric philosophy, for when both fortune and misfortune come

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

from God they cannot also come from human powers, whether innate or learnt. Likewise, it is easily understandable that there is no idea of an impersonal force, a dynamism or vital force, which we are told is characteristic of some African religions. It is true that when Nuer speak of *kwoth* without specifying any particular representation of it the impression may be conveyed that it has an impersonal character; but it is always understood that what is being referred to is Spirit conceived of either as God or as some particular hypostasis or refraction of him, though it may not be known which of them is concerned in the situation they have in mind. Moreover, it is certain that, for the most part at any rate, the many representations of Spirit we find in Nuerland today are a fairly recent introduction and development, and Nuer are aware of this. Another negative feature of Nuer religion is the complete absence of ritual, in the sense of ceremonial, interdictions, so prominent among other African peoples. No interdictions on food, drink, or sexual intercourse condition the efficacy of religious rites (nor, for the matter of that the success of any undertaking), and, there being no ritual interdictions, there can be no ideas of ritual purity and impurity. Nuer interdictions are not of a ritual order at all, but of a moral one, so that breaches of them result in a state of moral impurity or sin, of which the resultant situation and manifestation may be sickness or other misfortune. And what counts in sacrifice is not the outward, physical, state of the sacrificer, but his moral state, the sincerity of his intention.

We can say that these characterstics, both negative and positive, of Nuer religion indicate a distinctive kind of piety which is dominated by a strong sense of dependence on God and confidence in him rather than in any human powers or endeavours. God is great and man foolish and feeble, a tiny ant. And this sense of dependence is remarkably individualistic. It is an intimate, personal, relationship between man and God. This is apparent in Nuer ideas of sin, in their expressions of guilt, in their confessions, and in the dominant piacular theme of their sacrifices. It is evident also in their habit of making short supplications at any time. This is a very noticeable trait of Nuer piety, and my conclusions are here borne out by Dr. Lienhardt's observations. He tells me that when he was in western Dinkaland he had in his household a Nuer youth whose habit of praying to God for aid on every occasion of difficulty greatly astonished the Dinka. In prayer and sacrifice

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

• 771 alike, in what is said and in what is done, the emphasis is on complete surrender to God's will. Man plays a passive role. He cannot get to God but God can get to him. Given this sort of piety, we are not surprised to find that the prophet is more influential than the priest.

In this sense of the totality of Nuer religious beliefs and practices forming a pattern which excludes conflicting elements and subordinates each part to the harmony of the whole, we may speak of their religious system. This does not mean, however, that it is an entirely consistent set of ideas. On the contrary, like other religions, it contains unresolved ambiguities and paradoxes, as that God is remote from men, a *deus absconditus* in the sky, and also very near to them, a *deus revelatus* in human enterprises and affairs; and that he is both friend and foe, whom one summons for aid and asks to turn away, seeking at the same time union with him and separation from him. It might, indeed, be argued that the breaking up of the conception of Spirit into a number of different representations, evoked in different situations, could be regarded as a means of resolving both ambiguities; but there would be certain difficulties in this view. Both must always have been there, whereas the spirits are a new phenomenon. Also, they are not regarded as something different and apart from God, so that the ambiguities are not really resolved. Moreover, although some of the spirits have a capricious side to them and Nuer may be said to have in a way an aversion to some of them, they are, nevertheless, a coming down of Spirit to earth into a homely relationship to men, so that while they may trouble them they also put themselves at their service. In them man and Spirit meet. A prophet, indeed, seeks so complete a union with a spirit that he is no longer himself but the spirit. That these spirits have come into Nuer thought during the last few decades might, therefore, be rather interpreted, at this level of interpretation, in terms of the sufferings Nuer have endured in them.

It is in the nature of the subject that there should be ambiguity and paradox. I am aware that in consequence I have not been able to avoid what must appear to the reader to be obscurities, and even contradictions, in my account. When one looks at Nuer religion from one angle it seems to be like this and when one looks at it from another angle it seems to be like that, and this and that do not always correspond. The difficulties of investigation and presen-

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

tation have been further added to by the great increase in the number and types of spiritual forms. 771

The taking over from neighbouring peoples of new spiritual conceptions has, if not produced, greatly accentuated the paradox of the one and the many, one of the chief problems of Nuer religion today, and one to which I have had to devote particular attention. And it has made yet more apparent a further problem, to which I have also given special attention—that of the relation of symbol to what it symbolizes—for every new representation requires, if it is to acquire more than nominal distinctness, a visible, material symbol. Indeed, our difficulties are everywhere greatly increased by historical changes in Nuer religion. I have attempted to interpret these changes by relating them to other social changes going on at the same time. I think that to some extent they are elucidated by this sort of interpretation, but one has to admit that it is not susceptible of proof, and also that Nuer have borrowed much from their neighbours at various times—for example, not only spirits but also such ideas as *ther*, *kor*, and *thiang*—without our being able to give sure reasons for the loan or the time of it. We can only suppose that since such ideas as I have mentioned are intimately connected with women, they have entered Nuerland through the intermarriage of Nuer with Dinka and Anuak. But if one has to admit that religious conceptions have some autonomy and pass from one people to another without our being able to say why they do so, we can show that they are much altered in the process, being made to conform to the already existing set of ideas into which they are taken. The ideas of *deng*, *colwic*, and *kor* are very different among the Dinka and the Nuer, that of *ther* has a very different place in Nuer thought to that which it has in Anuak thought, and *nyikang* is a very different figure in Nuer religion from what it is in Shilluk religion.

The new conceptions of Spirit Nuer have borrowed from neighbours or have developed within their own culture are thought of as having appeared at points of time in events in relation to persons. But though they are always so presented in myths and traditions there is a difference between such personal experiences in stories which account for a relationship of a social group to a spiritual form and the personal experience each man has in the critical events of his own life and of the lives of those near to him. I have throughout my account emphasized, especially in my

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

771 discussion of sacrifice, the difference between the personal and collective aspects of Nuer religion and that the first is more important for an understanding of its fundamental character. We learn from the collective expression of religion more about the social order than about what is specifically religious thought and practice. Its personal expression tells us more of what religion is in itself. If we recognize that the collective expression is only one form of religious activity we shall not make the mistake of trying to explain Nuer religion in terms of their social structure alone.

Sociological writers, as I have already observed, have often treated religious conceptions, because they refer to what cannot be experienced by the senses, as a projection of the social order. This is inadmissible. That Nuer religious thought and practices are influenced by their whole social life is evident from our study of them. God is conceived of not only as the father of all men but also under a variety of forms in relation to various groups and persons. Consequently we may say that the conception is co-ordinated to the social order. Also, he is conceived of not only as creator but also as guardian of the social order who punishes transgressions, which are breaches of interdictions which serve to maintain the social order. But the Nuer conception of God cannot be reduced to, or explained by, the social order.

114 In my first book on the Nuer I gave an account of their ecology, their modes of livelihood, and their political structure. I tried to show that some features of their modes of livelihood can be understood only if we take their environment into account; and also that some features of their political structure can be understood only if we take their modes of livelihood into account. I did not, however, try to explain their modes of livelihood as a function of their environment or their political structure as a function of their economy. In my second book I tried to show how some features of their family and kinship systems were more intelligible when seen in relation to tribal and lineage systems; but it is not suggested that they could be explained in terms of them. In this final volume I have tried to show how some features of their religion can be presented more intelligibly in relation to the social order described in the earlier volumes but I have tried also to describe and interpret it as a system of ideas and practices in its own right.

771 When the purely social and cultural features of Nuer religion

16: Evans-Pritchard E-5 (1931, 1936) 1956
FJ22 Nuer FJ22

have been abstracted, what is left which may be said to be that which is expressed in the social and cultural forms we have been considering? It is difficult to give a more adequate answer to this question than to say that it is a relationship between man and God which transcends all forms. It is not surprising therefore that we cannot give any clear account of what for Nuer is the nature of this spiritual relationship. We feel like spectators at a shadow show watching insubstantial shadows on the screen. There is nothing Nuer can say of the nature of God other than that he is like wind or air. They can speak of their experience of Spirit but can tell us nothing of Spirit itself. The spirits of the air are little more than names to them. Were a possessed man, when asked what possessed him, to utter a new name there would be a new spirit. It is much the same with the totemic representations of Spirit. They are not in themselves of a spiritual nature but only material symbols which serve to differentiate Spirit in its relation to some people from its relation to other people. A study of the symbols tells us nothing of the nature of what is symbolized. Spirit in itself is for Nuer a mystery which lies behind the names and the totemic and other appearances in which it is represented.

We can, therefore, say no more than that Spirit is an intuitive apprehension, something experienced in response to certain situations but known directly only to the imagination and not to the senses. Nuer religious conceptions are properly speaking not concepts but imaginative constructions. Hence the response to them is imaginative too, a kind of miming. Words and gestures transport us to a realm of experience where what the eye sees and the ear hears is not the same as what the mind perceives. Hands are raised to the sky in supplication, but it is not the sky which is supplicated but what it represents to the imagination. Formal respect is paid to an animal not on account of what the animal is in itself but on account of what for some people it stands for in thought as a symbol. The spear he bought from an Arab merchant in the hands of an officiant representing a clan is in the mind's eye the spear of the ancestor in the drama of sacrifice. The ancestor's spear does not exist, and a man may make sacrificial gestures with this non-existent spear merely by moving his hand as though he held a spear in it, the ancestral spear being represented by nothing but a thought. A piacular ox is the sacrificer himself and in the ox he dies in symbol. But the sacrificer is not present. The hand of the

16: Evans-Pritchard E-5 (1931, 1936) 1956
?J22 Nuer FJ22

• 77/ officiant on the back of the ox represents his hand. And when we look for the ox about to be slaughtered we see a cucumber. To the mind sickness caused by sin is the sin and in the mind it is wiped out by the sacrificial act. We seem indeed to be watching a play or to be listening to someone's account of what he has dreamt. Perhaps when we have this illusion we are beginning to understand, for the significance of the objects, actions, and events lies not in themselves but in what they mean to those who experience them as participants or assistants. If we regard only what happens in sacrifice before the eyes it may seem to be a succession of senseless, and even cruel and repulsive, acts but when we reflect on their meaning we perceive that they are a dramatic representation of a spiritual experience. What this experience is the anthropologist cannot for certain say. Experiences of this kind are not easily communicated even when people are ready to communicate them and have a sophisticated vocabulary in which to do so. Though prayer and sacrifice are exterior actions, Nuer religion is ultimately an interior state. This state is externalized in rites which we can observe, but their meaning depends finally on an awareness of God and that men are dependent on him and must be resigned to his will. At this point the theologian takes over from the anthropologist.